



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

**Gernhardt, et al.**

Serial No.: **09/954,875**

Filed: **September 12, 2001**

For: **WINDING MACHINE**

Confirmation No.: **8266**

Group Art Unit: **3654**

Examiner: **Nguyen, John Quoc**

Docket No. **011881-1940**

**RESPONSE TO OFFICE ACTION**

Mail Stop:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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**FEB 27 2004**

**GROUP 3600**

Sir:

The outstanding non-final Office Action mailed **October 21, 2003** (Paper No. 7) has been carefully considered. In response thereto, please enter the following amendments in which claims 1-30 are canceled and claims 31-37 are newly added. Claims 31 and 35 are independent claims. Reconsideration and allowance of the application and presently pending claims, as amended, are respectfully requested.

***AUTHORIZATION TO DEBIT ACCOUNT***

It is believed that no extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account no. 20-0778.

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cc/ 3654 \$

# CERTIFICATE OF MAILING

I hereby certify that the below listed items are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to:

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P.O. Box 1450  
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on 02/17/04

Marianne Boland  
Marianne Boland

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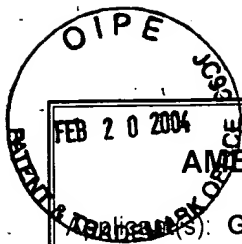
Docket No. 011881-1940

The following is a list of documents enclosed:

Return Postcard  
Amendment Transmittal Page  
Petition For Extension of Time (1 Month)  
Fee Transmittal in the amount of \$55.00  
Credit Card Payment Form  
Response to Office Action

Further, the Commissioner is authorized to charge Deposit Account No. 20-0778 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 20-0778.

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FEB 20 2004

## AMENDMENT TRANSMITTAL LETTER (SMALL)

Applicant(s): Gernhardt, et al.

Docket No.

011881-1940

Serial No.  
09/954,875Filing Date  
09/12/2001Examiner  
Nguyen, John Q.Confirmation No.  
8266Group Art Unit  
3654

Invention: WINDING MACHINE

Commissioner for Patents  
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GROUP 3600


Transmitted herewith is Response to Office Action in the above-identified application.

The fee has been calculated and is transmitted as shown below

## CLAIMS AS AMENDED

|  | CLAIMS REMAINING<br>AFTER AMENDMENT                                | HIGHEST #<br>PREV. PAID FOR                              | NUMBER EXTRA<br>CLAIMS PRESENT                           | RATE   | ADDITIONAL<br>FEE |
|--|--|--|--|--|-------------------|
| TOTAL CLAIMS   | 7 -  | 30 =   | 0  | X \$9.00   | \$0               |
| INDEP. CLAIMS  | 2 -  | 4 =  | 0  | X \$43.00  | \$0               |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> |  |  |  | \$145.00   | \$0               |
| EXTENSION FEE  | 1 <sup>ST</sup> MONTH <input checked="" type="checkbox"/><br>55.00 | 2 <sup>ND</sup> MONTH <input type="checkbox"/><br>210.00 | 3 <sup>RD</sup> MONTH <input type="checkbox"/><br>475.00 | 4 <sup>TH</sup> MONTH <input type="checkbox"/><br>740.00 | \$55.00           |
| Other Fees:  |  |  |  |  | \$0               |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT                                  |  |  |  |  | \$55.00           |

- ☐ No additional fee is required.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_
- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed. A duplicate copy of this page is enclosed.
- ☒ A Credit Card Payment Form PTO-2038 is attached in the amount of \$55.00.
- ☒ The Director is hereby authorized to charge any deficiencies of the above fees or credit any overpayment to Deposit Account No. 20-0778.

  
Kenneth C. Bruley; Reg. No. 51,5042/17/04  
Date

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# **FREE TRANSMITTAL** **for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revisions.

☒ Applicant claims small entity status. See 37 CFR 1.27TOTAL AMOUNT OF PAYMENT (\$ **55.00**)**Complete If Known**

|                      |                    |
|----------------------|--------------------|
| Application Number   | 09/954,875         |
| Filing Date          | September 12, 2001 |
| First Named Inventor | Gernhardt          |
| Examiner Name        | Nguyen, John Quoc  |
| Group / Art Unit     | 3654               |
| Attorney Docket No.  | 011881-1940        |

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account

Deposit Account Number

**20-0778**

Deposit Account Name

**Thomas, Kayden, Horstemeyer Risley, L.L.P.**

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account
**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description        | Fee Paid     |
|-----------------------|-----------------------|-----------------------|-----------------------|------------------------|--------------|
| 1001                  | 770                   | 2001                  | 385                   | Utility Filing Fee     |              |
| 1002                  | 340                   | 2002                  | 170                   | Design Filing Fee      |              |
| 1003                  | 530                   | 2003                  | 265                   | Plant Filing Fee       |              |
| 1004                  | 770                   | 2004                  | 385                   | Reissue Filing Fee     |              |
| 1005                  | 160                   | 2005                  | 80                    | Provisional Filing Fee |              |
| <b>SUBTOTAL (1)</b>   |                       |                       |                       |                        | <b>(\$0)</b> |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    | Extra Claims | Fee From Below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims       | - 20** =     | 9.00           |          |
| Independent Claims | - 3** =      | 43.00          |          |
| Multiple Dependent |              | 145.00         |          |

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description   | Fee Paid     |
|-----------------------|-----------------------|-----------------------|-----------------------|---|--------------|
| 1202                  | 18                    | 2202                  | 9                     | Claims in excess of 20                                    |              |
| 1201                  | 86                    | 2201                  | 43                    | Independent claims in excess of 3                         |              |
| 1203                  | 290                   | 2203                  | 145                   | Multiple dependent claim, if not paid                     |              |
| 1204                  | 86                    | 2204                  | 43                    | **Reissue independent claims over original patent         |              |
| 1205                  | 18                    | 2205                  | 9                     | **Reissue claims in excess of 20 and over original patent |              |
| <b>SUBTOTAL (2)</b>   |                       |                       |                       |   | <b>(\$0)</b> |

\*\*or number previously paid, if greater; For Reissues, see above

**FEES CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity Fee Code | Large Entity Fee (\$) | Small Entity Fee Code | Small Entity Fee (\$) | Fee Description  | Fee Paid |
|-----------------------|-----------------------|-----------------------|-----------------------|--|----------|
| 1051                  | 130                   | 2051                  | 65                    | Surcharge-late filing fee or oath  |          |
| 1052                  | 50                    | 2052                  | 25                    | Surcharge-late provisional filing fee or cover sheet                       |          |
| 1053                  | 130                   | 1053                  | 130                   | Non-English specification  |          |
| 1812                  | 2,520                 | 1812                  | 2,520                 | For filing a request for ex parte reexamination                            |          |
| 1804                  | 920*                  | 1804                  | 920*                  | Requesting publication of SIR prior to Examiner action                     |          |
| 1805                  | 1,840*                | 1805                  | 1,840*                | Requesting publication of SIR after Examiner action                        |          |
| 1251                  | 110                   | 2251                  | 55                    | Extension for reply within first month                                     | 55.00    |
| 1252                  | 420                   | 2252                  | 210                   | Extension for reply within second month                                    |          |
| 1253                  | 950                   | 2253                  | 475                   | Extension for reply within third month                                     |          |
| 1254                  | 1,480                 | 2254                  | 740                   | Extension for reply within fourth month                                    |          |
| 1255                  | 2,010                 | 2255                  | 1,005                 | Extension for reply within fifth month                                     |          |
| 1401                  | 330                   | 2401                  | 165                   | Notice of Appeal   |          |
| 1402                  | 330                   | 2402                  | 165                   | Filing a brief in support of an appeal                                     |          |
| 1403                  | 290                   | 2403                  | 145                   | Request for oral hearing   |          |
| 1451                  | 1,510                 | 1451                  | 1,510                 | Petition to institute a public use proceeding                              |          |
| 1452                  | 110                   | 2452                  | 55                    | Petition to revive-unavoidable   |          |
| 1453                  | 1,330                 | 2453                  | 655                   | Petition to revive-unintentional   |          |
| 1501                  | 1,330                 | 2501                  | 665                   | Utility issue fee (or reissue)   |          |
| 1502                  | 480                   | 2502                  | 240                   | Design issue fee   |          |
| 1503                  | 640                   | 2503                  | 320                   | Plant issue fee  |          |
| 1460                  | 130                   | 1460                  | 130                   | Petitions to the Commissioner  |          |
| 1807                  | 50                    | 1807                  | 50                    | Processing fee for provisional application                                 |          |
| 1806                  | 180                   | 1806                  | 180                   | Submission of Information Disclosure Stmt                                  |          |
| 8021                  | 40                    | 8021                  | 40                    | Recording each patent assignment per property (times number of properties) |          |
| 1809                  | 770                   | 2809                  | 385                   | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810                  | 770                   | 2810                  | 385                   | For each add. invention to be examined (37 CFR 1.129(b))                   |          |
| 1801                  | 770                   | 2801                  | 385                   | Request for Continued Examination (RCE)                                    |          |
| 1802                  | 900                   | 1802                  | 900                   | Request for expedited exam. of a design application                        |          |

Other fee (specify)

**SUBTOTAL (3) (\$ 55.00)**

\*Reduced by Basic Filing Fee Paid

Complete (if applicable)

**SUBMITTED BY**Typed or Printed Name  
Signature**Kenneth C. Bruley**Registration No. **51,504**Telephone Number  
Date**770-933-9500****2/17/04**

WARNING: Information on this form may become public. Credit Card information should not

be included on this form. Provide credit card information and authorization on PTO-2038

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 37 USC 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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